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September 5, 2017

VIA CM/ECF FILING

Honorable Roy S. Payne
United States Magistrate Judge
Sam B Hall, Jr Federal Building and United States Courthouse
100 East Houston Street
Marshall, TX 75670

Re: Huawei Techs Co. Ltd. v. T-Mobile US, Inc., No. 2:16-cv-00055: Defendant and Intervenor's Expert Witness Potential Scheduling Conflict

Dear Judge Payne:

Defendants T-Mobile US, Inc. and T-Mobile USA, Inc. ("T-Mobile") and Intervenor Nokia Solutions and Networks US LLC and Nokia Solutions and Networks Oy and Telefonaktiebolaget LM Ericsson and Ericsson Inc. (collectively, "Intervenor") respectfully submit this letter regarding a potential scheduling conflict with the recently rescheduled trial in the above captioned case.

Defendants and Intervenor's expert witness, Dr. David Lyon, is scheduled to testify at a trial beginning October 30th, 2017 in the Northern District of California. The case is *Finjan, Inc. v. Blue Coat Systems LLC*, No. 5:15-cv-03295 and is being heard by Hon. Beth Freeman. Dr. Lyon is an expert witness on behalf of Finjan. The trial is scheduled to be heard from October 30th to November 10th, 2017.

Dr. Lyon stated that Judge Freeman recently informed the parties that the trial may be continued into 2018 as she was giving priority to a criminal case. However, if the criminal defendant pleads out, then the *Finjan* trial will proceed on October 30th as originally planned.

T-Mobile and Intervenor therefore ask the Court to note this potential scheduling conflict as the Court considers its upcoming trial dates in this matter, and the other pending matters between the parties.

GIBSON DUNN

Honorable Roy S. Payne
September 5, 2017
Page 2

Respectfully submitted,

By: /s/ Mark N. Reiter

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GIBSON DUNN

Honorable Roy S. Payne
September 5, 2017
Page 3

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GIBSON DUNN

Honorable Roy S. Payne
September 5, 2017
Page 4

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GIBSON DUNN

Honorable Roy S. Payne
September 5, 2017
Page 5

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